

Senator Pope moved to adjourn 'till 10 a. m. to-morrow in honor of the anniversary of Texas Independence. Adopted by the following vote:

YEAS—15.

Atlee,	Garwood,	Pope,
Burney,	Harrison,	Seale,
Cranford,	Kearby,	Townsend,
Clark,	Lubbock,	Tyler,
Glasscock,	Maetze,	Johnson.

NAYS—10.

Clemens,	Finch,	Stephens,
Crane,	Page,	Simkins,
Frank,	Potter,	Weisiger,
		Whatley.

#### FORTY-SECOND DAY.

AUSTIN, March 3, 1891.

Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair

Roll called; quorum present, the following Senators answering to their names:

PRESENT—26.

Atlee,	Glasscock,	Potter,
Burney,	Harrison,	Seale,
Clark,	Kearby,	Simkins,
Clemens,	Kimbrough,	Stephens,
Crane,	Lubbock,	Townsend,
Cranford,	Maetze,	Tyler,
Finch,	McKinney,	Weisiger,
Frank,	Mott,	Whatley.
Garwood,	Page,	

ABSENT—5.

Carter,	Johnson,	Sims.
Ingram,	Pope,	

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the Journal, on motion of Senator Glasscock, the further reading of the same was dispensed with.

The following message was received from the House:

#### HOUSE OF REPRESENTATIVES,

Austin, March 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—I am instructed to herewith return to the Senate House Bill No. 307, creating the county of Sterling, as requested by resolution of the Senate March 2, 1891.

Respectfully,

SAM H. DIXON,

Chief Clerk House of Representatives.

On motion of Senator Potter, Senator Clark was excused for non-attendance on Saturday last, he being absent on committee duty.

On motion of Senator Glasscock, Senator Kimbrough was excused for Saturday and Monday, he being absent on committee duty.

On motion of Senator Cranford, Senator Johnson was excused until

next Friday on account of important business.

#### PETITIONS AND MEMORIALS.

By Senator Cranford:

Three separate petitions from citizens of Hunt county, against the "Wilson Fellow servant bill."

Read first time and referred to Judiciary committee No. 1.

By Senator Harrison:

A petition from citizens of McLennan county asking that article 682, chapter 2, title 17 of revised penal code be so amended as to protect peacans grown on enclosed lauds.

Read first time and referred to Judiciary committee No. 2.

By Senator Harrison:

A statement showing the population of Texas by counties as determined by the official count of the returns made under the eleventh census.

Read first time and referred to committee on Apportionment and representation.

On motion of Senator Harrison the official statement of the population of the state by counties was ordered to be spread upon the Journal, and is as follows:

[See page 295.]

Senator Finch asked, and obtained unanimous consent to withdraw his motion made yesterday, to reconsider the vote by which House bill No. 307 was finally passed.

Senator Tyler moved that 500 extra copies of today's Journal be printed.

Lost.

By Senator Stephens:

Petition of citizens of Wilbarger county, protesting against diminishing the jurisdiction of the county court of that county.

Read first time and referred to committee on Judicial Districts.

On motion of Senator Tyler the following bill was ordered to be spread upon the Journal of today.

A bill to be entitled "An act to apportion the State of Texas into congressional districts under the census of 1890."

Section 1. Be it enacted by the Legislature of the State of Texas, that until otherwise provided by the law, the State of Texas shall be apportioned into the following congressional districts, each of which shall be entitled to elect one member to the congress of the United States.

Section 2. The following counties shall compose the first district, to-wit.: Grimes, Waller, Montgomery, San Jacinto, Tyler, Jasper, Newton,

Orange, Jefferson, Hardin, Chambers, Liberty, Harris, Austin and Washington.

Section 3. The following counties shall compose the second district, to wit: Sabine, San Augustine, Nacogdoches, Angelina, Trinity, Walker, Madison, Robertson, Leon, Houston, Freestone, Limestone and Polk.

Section 4. The following counties shall compose the third district, to wit: Panola, Harrison, Rusk, Smith, Cherokee, Anderson, Henderson, Van Vandt and Shelby.

Section 5. The following counties shall compose the fourth district, to wit: Gregg, Marion, Cass, Bowie, Red River, Titus, Morris, Camp, Upshur, Wood, Franklin, Hopkins, Rains and Delta.

Section 6. The following counties shall compose the fifth district, to wit: Lamar, Fannin, Hunt, Collin, Rockwall and Kaufman.

Section 7. The following counties shall compose the sixth district to wit: Grayson, Cooke, Denton, Wise, Montague, Clay, Jack, Young, Archer, Wichita and Baylor.

Section 8. The following counties shall compose the seventh district to wit: Dallas, Ellis, Johnson, Hill and Navarro.

Section 9. The following counties shall compose the eighth district to wit: Tarrant, Parker, Hood, Somervell, Palo, Pinto, Erath, Bosque, Hamilton, Comanche, Coryell, Lampasas and Mills.

Section 10. The following counties shall compose the ninth district to wit: McLennan, Falls, Milam, Burleson, Brazos, Bell and Williamson.

Section 11. The following counties shall compose the tenth district to wit: Colorado, Lavacca, Fayette, Lee, Bastrop, Caldwell, Gonzales, Wilson, Guadalupe and Comal.

Section 12. The following counties shall compose the eleventh district to wit: Galveston, Brazoria, Matagorda, Calhoun, Refugio, Nueces, Cameron, Hidalgo, Starr, Zapata, Encinal, Duval, Fort Bend, Wharton, Jackson, Victoria, Goliad, Bee, Live Oak, McMullen, La Salle, Dimmit, Maverick, Zavalla, Frio, Atascosa, Karnes and De Witt.

Section 13. The following counties shall compose the twelfth district to wit: Travis, Hays, Blanco, Kendall, Bexar, Medina, Uvalde, Kinney, Val Verde, Edwards, Bandera, Kerr and Gillespie.

Section 14. The following counties

shall compose the Thirteenth District:

Wilbarger, Throckmorton, Hardeman, Knox, Haskell, Jones, Shackelford, Stephens, Eastland, Callahan, Coleman, Brown, San Saba, McCulloch, Mason, Llano, Kimble, Menard, Concho, Sutton, Sechlicher, Irion, Tom Green, Coke, Runnels, Taylor, Nolan, Mitchell, Scurry, Fisher, Stonewall, Kent, Dickens, King, Cottle, Motley, Hale, Childress, Collinsworth, Wheeler, Hemphill, Lipscomb, Ochiltree, Roberts, Gray, Dudley, Hansford, Sherman, Dallam, Hartley, Moore, Hutchinson, Potter, Oldham, Deaf Smith, Randle, Armstrong, Parmer, Castro, Swisher, Briscoe, Floyd, Hall, Lamb, Bailey, Cochran, Hockley, Lubbock, Crosby, Garza, Lynn, Terry, Yoakum, Gaines, Dawson, Borden, Howard, Martin, Andrews, Glasscock, Midland, Ector, Winkler, Loving, El Paso, Reeves, Ward, Crane, Upton, Pecos, Crockett, Burnet, Buchel, Foley, Brewster and Presidio.

Section 15. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The following reports were handed in from their respective committees:

COMMITTEE ROOM.

Austin, March 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on incorporated cities and towns, to whom was referred Senate bill No. 288, being "An act to amend an act to incorporate the city of Waco and to define its boundaries and powers; approved February 19, 1889,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the attached substitute do pass in lieu of the original bill.

§ POTTER, Chairman.

Substitute read first time.

COMMITTEE ROOM.

Austin, February 28, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Public Lands, to whom was referred Senate Bill No. 319, being, "An Act to amend Section 8, Chapter 55, of an Act of the Legislature of the State of Texas, Approved April 6, 1881."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do not pass.

SIMS, Chairman.

**Minority report on Senate bill No. 319:**

Hon. Geo. C. Pendleton, President of the Senate:

Sir—A minority of your committee on public lands, to whom was referred Senate bill No. 319, beg leave to file this, their minority report, and respectfully ask that this bill do pass, for the following reasons, viz:

1st. If the bill was enacted into a law there would be no necessity for bringing suits against the purchaser of school land sold under the act of 1881, as this bill forfeits said land to the state when the moneys due thereon are not paid, without the necessity of suits by the state.

2. If this bill should become the law, many non-residents now holding 7 sections of land each of good agricultural lands would either have to pay for said land (all the principal and interest now due thereon) or surrender the land to the state, when actual settlers could at once secure the same from the state.

Respectfully submitted,

JNO. H. STEPHENS.

COMMITTEE ROOM,

Austin, February 28, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Committee on Public Lands, to whom was referred

House bill No. 140, entitled "An act to provide for the sale of all lands in Greer county heretofore set apart for the benefit of the public free schools and for the payment of the public State debt, and to protect the actual settlers on such lands in the prior right to purchase the same, and for the lease of such lands, and to prevent the free use and occupancy, unlawful enclosure or unlawful appropriation of such lands, and to provide adequate penalties therefor."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass with the following amendment:

Amend Section 7 by adding after the word "improvements" at the end of the section, the following: Provided said actual settlers shall not be required to pay more than \$2 per acre for tracts classified as dry lands, nor more than \$3 per acre for tracts classified as watered lands.

SIMS, Chairman.

COMMITTEE ROOM,

Austin, March 3, 1891.

Hon. George C. Pendleton, President

of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

House bill No. 430, being "An act to amend 4238 of the revised statutes of the State of Texas, as amended by the act approved April 8, 1889."

Have had the same under consideration, and I am instructed by a majority of the committee to report the same back to the House with the recommendation that it do pass.

POPE, Chairman.

**BILLS AND RESOLUTIONS.**

By Senator Page:

Joint resolution setting apart a portion of the state cemetery for the interment of Confederate dead.

"Be it resolved by the Legislature of the state of Texas that the Superintendent of Public Buildings and grounds is hereby directed to set apart such portions of the state cemetery as in his judgment may be sufficient for the interment of all the old Confederate soldiers now buried on the grounds of the Confederate home, and all who may hereafter die as inmates of said home.

Read first time and referred to the committee on State Affairs.

By Senator Kimbrough:

A bill to be entitled "An act to amend section 5 of an act entitled an act to grant a new charter to the city of Dallas, passed by the Twenty-first Legislature and approved March 13, 1889."

Read first time and referred to committee on Incorporated Cities and Towns.

By Senator Simkins:

A bill to be entitled "An act to amend article 2838 of the revised civil statutes of Texas."

Read first time and referred to Judiciary Committee No. 2.

By Senator Harrison:

A bill to be entitled "An act to create article 747a of title 8, chapter 7, of the code of criminal procedure, of the State of Texas."

Read first time and referred to Judiciary committee No. 2.

By Senator Harrison (by request):

A bill to be entitled "An act to amend article 682, chapter 3, title 17, of the revised penal code of the State of Texas."

Read first time and referred to Judiciary committee No. 2.

By Senator Stephens:

Memorial from the Farmers Alliance of the fifth congressional district of Texas, demanding that the railroad

commissioners be elected by the people.

Read first time and referred to the committee on Internal Improvements.

Senator Townsend moved to postpone consideration of substitute Senate bills Nos. 52 and 54 till Monday.

Senate Cranford moved to strike out Monday and insert Friday next. On the call for ayes and noes the following vote was developed:

## YEAS—13.

Burney,	Ga. wood.	Potter.
Clark,	Glasscock,	Seale.
Cranford,	Kearby,	Whatley,
Finch,	Kimbrough,	
Frank,	McKinney.	

## NAYS—13.

Atlee,	Mott,	Townsend,
Clemens,	Page,	Tyler.
Harrison,	Pope,	Weisiger.
Lubbock,	Simkins,	
Maetze,	Stephens,	

There being a tie the president voted aye and the motion prevailed.

Senator Crane announced that he was paired with Senator Johnson. If the latter were present he would vote aye and himself (Senator Crane) would vote no.

The motion as amended was adopted.

Senator Townsend moved to postpone pending business and take up Senate and House bills on their third reading.

Adopted.

Senate bill No. 386, entitled "An act to define who are fellow servants and who are not fellow servants."

Was taken up, read third time and passed by the following vote:

## YEAS—22.

Atlee,	Glasscock,	Mott,
Burney,	Harrison,	Pope,
Clark,	Kearby,	Potter,
Crane,	Kimbrough,	Seale,
Cranford,	Lubbock,	Simkins,
Finch,	Maetze,	Townsend,
Frank,	McKinney,	Tyler,
		Weisiger.

## NAYS—3.

Clemens,	Page,	Whatley.
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The President gave notice of signing, and signed in the presence of the Senate, Senate bill No. 10, entitled "An act invalidating the provision in any stipulation, contract or agreement limiting the time in which suit may be brought therein to not less than two years, and to provide what shall be a sufficient notice of a claim before suit brought and how the same shall be given."

Senate bill No. 69, entitled "An act to provide for the appointment of district stenographers for the several judicial districts of this State, to define their duties, fix their compensation and provide for the payment of the same."

Taken up, read third time and passed.

Senate bill No. 74, entitled "An act to amend Article 558, title 7, chapter 4 of the Code of Criminal Procedure."

Taken up, read third time and passed.

Senate bill No. 143, entitled "An act to amend sections 5 and 10 of section 8, article 7, of chapter 25, special session of the Eighteenth Legislature, and to repeal so much of chapter 3, title 78, of the revised statutes as refers to public schools outside of incorporated towns and cities."

Taken up, read third time and passed.

Senator Kimbrough asked and obtained consent to withdraw a motion made by him previously to reconsider the vote by which Senate bill No. 214 was finally passed.

Senate bill No. 160, entitled "An act to amend sections 45 and 46, chapter 32 of the acts of the regular session of Twentieth Legislature, entitled 'An act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3 of title 78 of the revised civil statutes of the State of Texas as refer to public free schools outside of incorporated cities and towns assuming or having assumed control of their public free schools, and all laws and parts of laws in conflict with this act.'"

Taken up, read third time and passed.

## ORDER OF THE DAY.

Substitute-senate bill Nos; 152 and 187, a bill to be entitled "An act to make it unlawful to sell illuminating oil composed of petroleum, kerosene or any product thereof to any person within the state, the flash test of which is less than 110 degrees Fahrenheit, to prescribe methods for making a test of the same and to provide penalties for a violation of the provisions thereof."

On second reading.

Question recurred to the amendment offered by Senator Stephens, as follows:

Amend section 4, line 3, by adding before the word "violate," the word "knowingly," which was lost by the following vote:

## YEAS—11.

Atlee,	Kimbrough,	Potter,
Clemens,	Lubbock,	Stephens,
Frank,	Page,	Townsend,
	Pope,	Whatley.

## NAYS—13.

Burney,	Finch,	McKinney,
Clark,	Glasscock,	Seale,

Crane,  
Cranford,  
Kearby,  
Maetze,  
Simkins,  
Tyler,  
Weisiger.

Senator Lubbock offered the following amendment:

Amend section 1 by striking out "110" and inserting "100."

Lost by the following vote:

YEAS—10.

Atlee,  
Crane,  
Cranford,  
Finch,  
Glasscock,  
Lubbock,  
Mott,  
Page,  
Seale,  
Stephens.

NAYS—13.

Burney,  
Clark,  
Clemens,  
Frank,  
Kearby,  
Kimbrough,  
Maetze,  
McKinney,  
Potter,  
Simkins,  
Tyler,  
Weisiger,  
Whatley.

Senator Page offered the following amendment:

Amend by adding the following section:

The evidence of any chemist or expert qualified to make the test provided for in this act may be admitted in any criminal action arising from a violation of the penal provision of this act.

Adopted.

Senator Page offered the following amendment:

Amend section 5 of bill in journal by striking out a l after "prosecutions" in line 21 and insert "for damages may be pending or may be brought under the provisions of this act."

Adopted.

The bill was ordered engrossed by the following vote:

YEAS—17.

Atlee,  
Burney,  
Clark,  
Clemens,  
Crane,  
Kearby,  
Kimbrough,  
Lubbock,  
Maetze,  
McKinney,  
Mott,  
Page,  
Seale,  
Simkins,  
Tyler,  
Weisiger,  
Whatley.

NAYS—6.

Cranford,  
Finch,  
Frank,  
Glasscock,  
Potter,  
Stephens.

Senate bill No. 97, entitled "An act to require railroad companies in this State to provide separate coaches for white and colored passengers; to prohibit passengers from riding or attempting to ride in coaches other than those set apart for his color; to confer upon conductors powers to enforce the provisions of this act; to regulate passenger travel and to provide penalties and punishments for the violation thereof," with the following House amendments.

Strike out after the words "Section 1," and insert in lieu thereof the following:

Be it enacted by the Legislature of the State of Texas, that every railroad

company doing business in this state as common carriers of passengers for hire shall provide separate coaches for the accommodation of white and negro passengers, which separate coaches shall be equal in all points of comfort and convenience.

Section 2. The term negro includes every person of African descent as the term is generally understood.

Section 3. Each compartment of a coach divided by a good and substantial wooden partition shall be deemed a separate coach within the meaning of this act, and each separate coach shall bear in some conspicuous place appropriate words in plain letters indicating the race for which it is set apart.

Section 4. Any railroad company which shall fail to provide its trains carrying passengers with separate coaches as above provided for, shall be liable for each and every such failure, to a penalty of not exceeding \$1000, to be recovered by suit in the name of the State in any court of competent jurisdiction, and each trip run by any train without such separate coaches shall be deemed a separate offense.

Section 5. Any passenger upon a train provided with separate coaches for white and negro passengers who shall knowingly go into and attempt to ride in any coach not set apart for his race, or who shall refuse to leave such coach after being requested by any employe of the railroad on said train shall be guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction, shall be punished by a fine of not less than \$25 nor more than \$200.

Section 6. The provisions of this act shall not be so construed as to prohibit nurses from traveling in the same coach with their employers, nor employes upon the train in the discharge of their duties, nor shall it be construed to such freight trains as may carry passengers in cabooses.

Section 7. The term coaches, as used in this act, does not apply to sleeping cars or hotel cars, and the provisions of this act do not in anywise apply to street railway cars.

Section 8. Every railroad company carrying passengers in this State shall keep the law posted in a conspicuous place in each office and in each passenger coach provided for in this act.

Section 9. The provisions of this act shall not apply to any excursion train run strictly as such for the bene-

fit of either race.

Section 10. The employes of said train shall have the authority to refuse any passenger admittance to any coach in which he is not entitled under the provisions of this act to ride, and the conductor on each train shall have authority to remove from any such separate coach any passenger who is not under this act entitled to ride therein.

Amend the caption by striking out the work "colored" and insert in lieu thereof the word "negro."

Taken up in regular order for the purpose of considering the House amendment.

Senator Whatley moved to postpone the further consideration of the House amendments and have them printed in the Journal.

Adopted.

#### UNFINISHED BUSINESS.

Senate bill No. 207, entitled "An act to amend article 4238 of the revised statutes of this State, as amended by an act approved April 8, 1889.

On motion of Senator Stephens consideration of this bill was postponed, to be considered in connection with House bill on the same subject.

Substitute House bill for Senate bill No. 12, entitled "An act to amend Article 182 of the Revised Civil Statutes of the State of Texas."

Taken up and read second time.

Senator Crane offered the following amendment: Whereas, there is no law authorizing the courts of last resort to revise the rulings of trial courts in quashing or vacating attachments, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that the law be in force from and after its passage, and it is so enacted.

Adopted.

Bill passed to a third reading.

Senator Crane moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage, which motion prevailed by the following vote:

YEAS—23.

Atlee,	Glasscock,	Potter,
Burney,	Kearby,	Seale,
Clark,	Kimbrough,	Simkins,
Clemens,	Lubbock,	Stephens,
Crane,	Maetze,	Tyler,
Cranford,	McKinney,	Weisiger,
Finch,	Mott,	Whatley,
Frank,	Page,	

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—24.

Atlee,	Glasscock,	Potter,
Burney,	Kearby,	Seale,
Clark,	Kimbrough,	Simkins,
Clemens,	Lubbock,	Stephens,
Crane,	Maetze,	Townsend,
Cranford,	McKinney,	Tyler,
Finch,	Mott,	Weisiger,
Frank,	Page,	Whatley,

NAYS—None.

On motion of Senator Kearby Senator Pope was excused for today on account of sickness in his family.

On motion of Senator Crane, Senator Carter was excused for today on account of important business.

Senator Atlee asked and obtained unanimous consent to postpone pending business and take up out of its regular order, House bill No. 325, entitled "An act to amend an act approved March 25, 1889, being an act to amend an act to re-enact section 28 of an act to re-district the State into judicial districts and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts, at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 11, 1883, and to amend said section 28, of said act, approved February 26, 1835, and to create the forty-ninth judicial district, to provide for the appointment and election of a district judge and a district attorney therein, and to repeal all laws and parts of laws in conflict herewith.

Bill read second time.

(Senator Kearby in the chair.)

Senator Potter offered the following substitute:

A bill to be entitled "An act defining the counties composing the Twenty-Eighth Judicial District and fixing the times of holding court therein, and to repeal all laws and parts of laws in conflict herewith."

Section 1. Be it enacted by the Legislature of the State of Texas, That the Twenty Eighth Judicial District shall be composed of the counties of Cameron, Hidalgo, Starr, Zapata, Webb, Nueces, Duval and the unorganized county of Encinal, and that the terms of court shall be therein held as follows:

In the county of Webb, on the first Monday in October and April of each year, and may continue in session seven weeks. In the county of Zapata on the eighth Monday after the

first Monday in October and April of each year, and may continue in session one week. In the county of Starr on the ninth Monday after the first Monday in October and April of each year, and continue in session two weeks. In the county of Hidalgo on the eleventh Monday after the first Monday in October and April of each year, and may continue in session two weeks. In the county of Cameron on the thirteenth Monday after the first Monday in October and April of each year, and may continue in session four weeks. In the county of Duval on the seventeenth Monday after the first Monday in October and April of each year, and may continue in session two weeks. In the county of Nueces on the nineteenth Monday after the first Monday in October and April of each year, and continue in session till business is finished, not exceeding six weeks.

Section 2. The unorganized county of Encinal is hereby attached to the county of Webb for judicial purposes.

Section 3. All process and writs heretofore issued and made returnable to said courts, as now fixed by law, are hereby made returnable to the terms thereof as herein provided, next ensuing after the passage of this act, and the same are hereby validated.

Senator Glasscock moved to postpone further consideration of the bill till next Saturday.

Senator Atlee moved as a substitute that the bill be postponed till tomorrow after morning call, and that the substitute be printed in the Journal, which motion prevailed by the following vote:

## YEAS—14.

Atlee,	Kearby,	Seale,
Clemens,	Kimbrough,	Stephens,
Crane,	Lubbock,	Tyler,
Cranford,	Maetze,	Whatley.
Frank,	Mott,	

## NAYS—7.

Burney,	Page,	Simkins,
Finch,	Potter,	Townsend,
Glasscock,		

House bill No. 20, entitled, An act to amend title 17, chapter 6, of the revised civil statutes of the State of Texas by adding thereto article 445a and 445b.

Taken up and read second time with the following committee amendment.

Strike all after the word "case," in line 2, page 2, down to and including the word "lien," in line 9, page 2 of said bill.

The committee amendment was adopted.

Senator Frank offered the following amendment:

Amend by striking out 1886 and insert 1888.

Adopted.

(The President in the chair.)

The Senate refused to pass the bill to a third reading by the following vote:

## YEAS—9.

Atlee,	Finch,	Lubbock,
Burney,	Frank,	Potter,
Clemens,	Kearby,	Townsend.

## NAYS—12.

Cranford,	Mott,	Stephens,
Glasscock,	Page,	Tyler,
Kimbrough,	Seale,	Weisiger,
Maetze,	Simkins,	Whatley.

Senator Cranford moved to reconsider the vote refusing to pass the bill to a third reading and asked to have the motion spread upon the Journal.

Substitute House bills Nos. 34 and 54, entitled an act to be entitled "An act to amend article 1272, chapter 9, title 29, of the revised civil statutes of the State of Texas."

Taken up and read second time with the following committee amendments:

Amend by striking out the words "or that the statements contained in the affidavit are untrue, or that they have not the means of knowledge as to facts stated in affidavit," and insert in lieu thereof the following: "And that the statements contained in the affidavit are untrue."

The committee amendments were adopted.

Senator Stephens moved to reconsider the vote by which the committee amendments were adopted.

Which prevailed.

The president gave notice of signing, and signed in the presence of the Senate.

House bill No. 246, entitled "An act to re-organize the (35th) Thirty-fifth judicial district and to create the (51st) Fifty first judicial district of the State."

Also House bill No. 162, entitled "An act to be entitled an act to amend an act to re-organize the Thirty-first, Thirty-second, Thirty third, Thirty-fifth and Thirty-ninth judicial districts, and to create the Forty-second judicial district of the State of Texas and to fix the times for holding courts therein, and to provide for the appointment and election of judges and district attorneys in the Thirty-second and Forty-second judicial districts and

to repeal all laws and parts of laws in conflict herewith, approved March 31, 1887."

Senator Tyler moved to recommit the pending bill, which motion prevailed.

Substitute House bills Nos. 24 and 167, entitled "An act to prohibit prize fighting and pugilism."

Taken up and read second time with the following committee amendment:

Strike out lines 8 and 9 in section 1 and insert in lieu thereof the following: "by fine of not less than \$500 nor more than \$1000, and by confinement in the county jail not less than sixty days nor more than one year."

The committee amendments were adopted and the bill passed to a third reading.

House bill No. 52, entitled "An act to amend section 9 of an act entitled 'An act to require butchers and slaughterers of cattle to give a bond, and to prescribe penalties for the violation of the conditions of the same, and to prevent unlawful slaughtering and selling cattle, passed at the regular session of the Twenty first Legislature, and approved April 6, 1889'"

Taken up and read second time with the following committee amendment:

Add to section 1 of the bill the words "Lampasas and Burnet."

The committee amendment was adopted.

Senator Burney offered the following amendment:

Amend section 9 by adding the words "Tom Green, Coke, El Paso, Presidio, Brewster, Midland, Reeves and Menard."

Adopted.

Senator Page offered the following amendment:

Amend section 9 by adding "Leon."

Adopted.

Senator Clemens offered the following amendment:

Amend section 9 by inserting "Caldwell county, Guadalupe county, Comal county, Hays county, Blanco county."

Adopted.

Senator Weisiger offered the following amendment:

Strike out "Wilson and Atascosa" from exempted counties in section 9 of the bill.

Adopted.

Senator Whatley offered the following amendment:

Amend section 9 by exempting "Marion."

Adopted.

The bill passed to a third reading.

Senator Simkins moved to suspend the constitutional rule requiring a bill to be read on three several days, and that the bill pass to a third reading and final passage, which motion failed to receive the necessary four-fifths vote, as follows, and was lost:

YEAS—19.

Burney,	Kearby,	Potter,
Clark,	Kimbrough,	Seale,
Crane,	Lubbock,	Simkins,
Cranford,	Maetze,	Stephens,
Finch,	Mott,	Tyler,
Frank,	Page,	Weisiger.
Glasscock,		

NAYS—5.

Atlee,	Harrison,	Whatley.
Clemens,	Townsend,	

House bill No. 57, entitled "An act to be entitled an act to amend Article 541, chapter 11, title xvii. of the Revised Civil Statutes of the State of Texas,"

Taken up and read second time with the following committee amendment:

Amend by striking out all words after the word "corporation," in line 10, down to and including the words in line 18, section 1, of the second page of the bill.

The committee amendment was adopted, and the bill passed to a third reading.

House bill No. 64, entitled "An act to amend articles 2976, 2877 and 2980, title 54, of the revised civil statutes," relating to interest.

Read second time.

Senator Townsend offered the following amendment:

Whereas, the near approach of the close of the session creates an emergency and there exists a public necessity for the suspension of the constitutional rule requiring bills to be read on three several days, and the same is so suspended.

Adopted and passed to third reading:

Senator Townsend moved to suspend the constitutional rule requiring bills to be read on three several days and that the bill be put upon its third reading and final passage.

Senator Page moved to adjourn to 3 o'clock this afternoon, which motion was lost by the following vote:

YEAS—12.

Crane,	Kearby,	Page,
Finch,	Kimbrough,	Potter.
Frank,	Lubbock,	Stephens,
Glasscock,	McKinney,	Tyler,

NAYS—14.



Atlee, Garwood, Simkins,  
Burney, Harrison, Townsend,  
Clark, Maetze, Weisiger.  
Clemens, Mott, Whatley.  
Crauford, Seale,

The following messages were received from his excellency the Governor:

EXECUTIVE OFFICE,  
Austin, March 3, 1891.

To the Senate of the State of Texas:

I ask your advice and consent to the appointment of W. O. Hamilton of Comanche county, to the office of District Attorney of the Forty-second Judicial district of Texas.

Respectfully,  
J. S. HOGG,  
Governor of Texas.

EXECUTIVE OFFICE,  
Austin, Texas, March 3, 1891.  
To the Senate and House of Representatives;

Herewith is transmitted for your consideration and use the official statistics of the population of Texas by counties, furnished me on request by the superintendent of census. It is to be regretted that this information could not have been procured earlier. However, there yet remains ample time at this session in which your honorable bodies may apply it with advantage to the people. The apportionment of the State can and should be made before the adjournment of the present session, thereby avoiding the expense of a special one for that purpose, and it is with much confidence that I express the hope it will be done.

In performing the delicate task, I feel assured that the conditions do not now exist that will justify your honorable bodies in imitating the work of the legislature in redistricting the State ten years ago. Much inconvenience and embarrassment have resulted to the people from that apportionment, which wisdom and patriotism suggest should not be entailed upon them for the next ten years.

Based upon the requisite population, all the districts should be made in the most convenient, compact form, so as to group together, in the smallest possible radius, the people who are to elect their officers. Principles of economy and justice suggest this course, which the light of the past cannot fail to keep in view.

Respectfully,  
J. S. HOGG, Governor.

Senator Simkins moved to reconsider the motion passing House bill

No. 64 to its third reading and asked to have that motion spread upon the journal.

Senator Page moved that the Senate go into executive session.

Adopted.

IN THE SENATE,

The following appointment of his excellency the Governor was announced as confirmed by the Senate:

W. O. Hamilton, of Comanche county, to the office of district attorney of the Forty-second Judicial district of Texas.

Senator Clemens moved to adjourn to 9:30 tomorrow.

Senator Page moved to adjourn to 3:30 this afternoon.

Senator Clemens' motion was lost by the following vote:

YEAS—12.

Atlee,	Crane,	Seale,
Burney,	Garwood,	Simkins,
Clark,	McKinney,	Townsend,
Clemens,	Mott,	Whatley.

NAYS—14.

Cranford,	Kearby,	Potter,
Finch,	Kimbrough,	Stephens,
Frank,	Lubbock,	Tyler,
Glasscock,	Maetze,	Weisiger.
Harrison,	Page,	

Upon Senator Page's motion the following vote was taken:

YEAS—13.

Cranford,	Kimbrough,	Stephens,
Finch,	Lubbock,	Tyler,
Frank,	Page,	Weisiger.
Glasscock,	Potter,	Whatley,
Kearby,		

NAYS—13.

Atlee,	Garwood,	Mott,
Burney,	Harrison,	Seale,
Clark,	Maetze,	Simkins,
Clemens,	McKinney,	Townsend.
Crane,		

The vote being a tie, the president voted aye, and the motion prevailed.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called; no quorum present, the following Senators answering to their names:

PRESENT.

Atlee,	Kearby,	Potter,
Clemens,	Kimbrough,	Seale,
Crane,	Lubbock,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	McKinney,	Tyler,
Frank,	Page,	Whatley.
Glasscock,		

ABSENT.

Burney,	Harrison,	Simkins,
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Clark, Mott, Weisiger.  
Garwood,

Senator Crane moved to excuse Senator Mott for the balance of the day on account of sickness.

Adopted.

Senator McKinney moved to excuse Senator Clark for the balance of the day on account of important business.

Adopted.

Senator Frank moved a call of the Senate which was seconded.

The following Senators answered to their names:

PRESENT—19

Atlee,	Page,	Potter,
Clemens,	Kearby,	Seale,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	McKinney,	Whatley.
Glasscock,	Page,	

ABSENT—4.

Garwood, Simkins, Weisiger.  
Harrison,

The seargeant-at-arms was ordered to take charge of the door and bring in the absentees.

Senator Garwood entered the chamber and took his seat.

Having rendered his excuse, on motion of Senator Frank he was excused by the Senate for non-attendance at roll call.

Senator Simkins entered the chamber and took his seat, and having rendered his excuse was, on motion of Senator Glasscock, excused by the Senate for non-attendance at roll call.

Senator Weisiger entered the chamber and took his seat, and having rendered his excuse, on motion of Senator Finch he was excused for absence when the roll was called.

Senator Garwood moved to adjourn to 9 a. m. tomorrow.

Lost.

House bill No. 96, entitled "An act to amend sections 3 and 5 of an act of an act in relation to chattel mortgages and other instruments intended to operate as mortgages or liens upon personal property and the record thereof."

Taken up and read second time with the following committee amendments:

1. Strike out all after the enacting clause and insert the following: That sections 2, 3 and 5 of an act in relation to chattel mortgages and other instruments intended to operate as mortgages of or liens upon personal property and the record thereof, approved April 22, 1879, be so

S J—19

amended as to hereafter read as follows:

Section 2. Upon receipt of such instrument the clerk shall indorse thereon the day and hour when the same was deposited in his office for record, and shall keep the same on file in his office for the inspection of all parties interested until satisfaction thereof shall be entered as provided in section 5 of this act; provided that if a copy be presented to the clerk for filing instead of the original instrument, he shall carefully compare such copy with the original, and the same shall not be filed unless it is a true copy thereof, and a copy can be filed only when the original has been witnessed by two subscribing witnesses or acknowledged or proven for record and certified as required in case of other instruments for the purpose of being recorded.

Section 3. A certified copy of any such instruments so filed as aforesaid, certified to under the hand and seal of the clerk of the county court in whose office the same shall have been filed, shall be admitted as evidence in like manner as the original might be, unless the execution of the original has been denied under oath by the party sought to be charged thereby; provided that the party desiring to use such instrument shall file the same in the papers of the cause before announcing ready for trial and not afterwards; and such certified copy shall in all cases be received as evidence of filing and entry thereof in chattel mortgage record according to the endorsement of the clerk thereon.

Section 5. When the debt secured by any such instrument shall have been paid or satisfied, it shall be the duty of the mortgagee, his assignee, attorney or legal representative, to enter or cause to be entered or attested by the clerk as aforesaid, satisfaction thereof in the record book in which the instrument is entered, which may be done under the head of "Remarks," and any instrument acknowledging payment or satisfaction need not be recorded at length, but the entry as above provided, showing the same has been paid, shall be sufficient and the original instrument or copy thereof on file shall then be delivered to the mortgagor or maker upon demand.

The fact that chattel mortgages which have been satisfied are accumulating and required to be kept and preserved in the county clerk's office

under existing laws, and a simpler method of filing and proving chattel mortgages is necessary, makes it an imperative necessity and an emergency that the constitutional rule requiring this bill to be read on three several days be suspended, and that this act take effect and be in force from and after its passage.

Insert "2" between the word "section" and "3" in the caption.

On motion of Senator Cranford the call of the Senate was suspended.

Senator Kimbrough asked and obtained permission to withdraw Senate bill No 330 entitled "An act to amend section 5 of an act entitled an act to grant a new charter to the city of Dallas passed by the Twenty-first Legislature and approved March 13, 1889," which was introduced by him this morning.

The committee amendments to the pending bill were adopted.

Senator Frank offered the following amendment:

Amend by numbering the emergency clause "section 6."

Adopted.

Senator Frank offered the following amendment:

Add to the end of section 5 the following: "or mail the same to him."

Adopted.

Senator Glasscock offered the following amendment:

Amend the committee amendment by inserting after the word "imperative," on page 4, in section 6, the word "public."

Senator Frank moved to excuse Senator Garwood for this evening on account of public business.

Lost.

The pending bill was passed to its third reading.

Senator Crane moved to suspend the constitutional rule requiring a bill to be read on three several days, and that it pass to a third reading and final passage, which was adopted by the following vote.

YEAS—22.

Atlee,	Kearby,	Seale,
Burney,	Kimbrough,	Simkins,
Clemens,	Lubbock,	Stephens,
Crane,	Maetze,	Townsend,
Cranford,	McKinney,	Tyler,
Finch,	Page,	Weisiger,
Frank,	Potter,	Whatley,
Glasscock,		

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—21.

Atlee,  
Burney,  
Clemens,  
Crane,  
Cranford,  
Finch,  
Frank,  
Glasscock,

Kearby,  
Kimbrough,  
Lubbock,  
McKinney,  
Maetze,  
Page,  
Potter,

Seale,  
Simkins,  
Stephens,  
Townsend,  
Tyler,  
Weisiger,  
Whatley,

NAYS—None.

Senator Townsend called up the motion of Senator Simkins to reconsider the vote by which House bill No. 64, entitled An act to amend articles 2976, 2977 and 2980, title 54 of the revised civil statutes, relating to interest.

Was passed to a third reading. The motion to reconsider was lost by the following vote:

YEAS—6.

Clemens,	Seale,	Weisiger,
Glasscock,	Simkins,	Whatley,

NAYS—15.

Atlee,	Frank,	Page,
Burney,	Kearby,	Potter,
Crane,	Kimbrough,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	McKinney,	Tyler,

The following privileged reports were handed in:

COMMITTEE ROOM.

Austin, March 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bills Nos. 152 and 187, being "An act to make it unlawful to sell illuminating oil composed of petroleum, kerosene or any product thereof to any person within this State, the flash test of which is less than 110 degs. Fahrenheit, to prescribe methods for making a test of the same and to provide penalties for a violation of the provisions hereof,

And find the same correctly engrossed.

KIMBROUGH, Acting Chairman.

COMMITTEE ROOM.

Austin, February 28, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 284, being "An act to validate the sale of section 82, block H, located for the common school fund by virtue of certificate No. 1-41, issued to the Waco and Northwestern railroad company, situated in Hardeman county, made by the State land board to P. E. Holmes, upon his application for the purchase thereof, filed on the 28th day of May, 1885, under the act of May 12, 1883, providing for the sale and lease of the com-

mon school, university and asylum lands, etc., and to authorize and require the commissioner of the general land office to issue patent therefor in favor of the heirs of L. H. Davis, deceased, whenever they shall pay to the state the amount of money due the common school fund for said section of land according to the terms of said sale.

And find the same correctly engrossed.

KIMBROUGH, Acting Chairman.

COMMITTEE ROOM,

Austin, March 1, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 196, being "An act permitting William Evans to sue the State of Texas in a court of competent jurisdiction to try and determine the merits of such claim as he may have against the state for loss of the schooner Josephine while engaged in the quarantine service of the state about October, 1887,"

And find the same correctly engrossed.

KIMBROUGH, Acting Chairman.

COMMITTEE ROOM,

Austin, March 2, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 269, being "An act to reorganize the Thirtieth Judicial District, and to fix the times for holding courts therein."

And find the same correctly engrossed.

KIMBROUGH, Acting Chairman.

Senator Townsend moved to suspend the constitutional rule requiring a bill to be read on three several days and that the pending bill pass to a third reading and final passage, which was adopted by the following vote:

YEAS—22.

Atlee,	Kearby,	Seale,
Burney,	Kimbrough,	Simkins,
Clemens,	Lubbock,	Stephens,
Crane,	Maetze,	Townsend,
Cranford,	McKinney,	Tyler,
Finch,	Page,	Weisiger,
Frank,	Potter,	Whatley,
Glasscock,		

NAYS—None.

Bill read third time.

Senator Crane moved to adjourn to 9:30 a. m. tomorrow.

Lost.

Senator Glasscock offered the following amendment:

Amend article 2976, by inserting after the word "indebtedness," in line 8, "where no interest is stipulated."

Senator Simkins moved to recommit the bill.

Adopted.

Senator Glasscock's amendment was not acted on.

Senator Tyler asked and obtained unanimous consent to postpone pending business and take up out of its regular order

House bill No. 490, entitled "An act to validate the sale of section 82, block H, State school lands, situated in Hardeman county, located by virtue of certificate No. 1-41, issued to the Waco and Northwestern Railroad company, made by the State land board to P. E. Holmes, on May 28, 1885, under the act of April 12, 1883, and to authorize patent to issue therefor in favor of L. H. Davis as assignee upon payment of the balance due the State upon said sale."

Bill passed to third reading.

Senator Tyler moved to reconsider the vote by which the bill passed to a third reading.

Adopted.

Senator Tyler moved that the bill be returned to the House that it may be properly engrossed.

Adopted.

And the secretary was ordered to return the bill.

House Bill No. 121, a bill to be entitled "An act to amend article 222, title 10, of the revised civil statutes, by adding thereto article 222a, relating to the granting of licenses to the graduates of the law department of the university of Texas."

Read second time and passed to third reading.

House bill No. 211, entitled "An act to amend section 1 of an act entitled 'An act to amend chapter 79, of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, an act to amend section 46 of an act to encourage stockraising and to protect stockraisers,' approved April 22, 1879, and amended April 4, 1881, and April 12, 1880, and March 27, 1887, and March 29, 1889."

Read second time, with the following committee amendments:

Amend section 1 as follows: In the first list of counties after the word "Liberty" insert "Wichita, Wilbarger and Archer,"

Add to section 1 the following:

That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

The committee amendments were adopted.

Senator Simkins offered the following amendment: Amend on page 3, line 14, by inserting after the word "Gillespie" the word "Navarro."

Senator Townsend moved to postpone further consideration of the bill till tomorrow, and that the bill be printed.

Lost.

Senator Simkins' amendment was adopted.

Senator Atlee offered the following amendment: Strike out in line 12, page 2, clause "and confirmed by the senate."

Adopted.

Senator Townsend offered the following amendment: Amend at end of section 1 as follows: Provided that in any county exempted from the provisions of this act may be put back within the provisions of this act upon order of the commissioners court of such county and an inspector appointed by said court.

Lost.

Senator Simkins offered the following amendment:

Amend by striking out of line 11, page 2, the words, "to take effect after next general election."

Adopted.

Senator Atlee offered the following amendment:

Strike out clause "and confirmed" in line 15, page 2.

Adopted.

Senator Burney offered the following amendment:

Amend by striking out the counties of Presidio, El Paso, and Gillespie wherever occurring in this bill.

Adopted.

Senator Tyler offered the following amendment:

Amend bill by adding the following counties to all the exemption clauses, where the said counties are not included in said exemption clauses in the bill, to wit: Bell, Coryell, Hamilton, Lampasas and Mills.

Adopted.

Senator Finch offered the following amendment:

Amend section 1, page 3, line 14, by adding after the word "Liberty," "Collin, Denton."

Adopted.

Senator Cranford offered the following amendment:

Amend by adding to the proviso the following counties to-wit:

Camp, Delta, Franklin, Hopkins and Hunt.

Adopted.

Senator Crane offered the following amendment:

Amend by inserting after the word "Austin," in line 24, page 2, the following: Johnson, Hill, Ellis.

Adopted.

Bill passed to third reading:

Senator Townsend moved to reconsider the motion by which House bill No. 211 was passed to a third reading and asked to have the motion spread upon the journal.

Senator McKinney moved to adjourn to 10 a. m. tomorrow.

Lost.

House bill No. 230, entitled "An act to be entitled an act to amend article 767 of the revised statutes of the State of Texas."

Read second time and passed to third reading.

Senator Stephens moved to suspend the constitutional rule requiring a bill to be read on three several days, and that the bill pass to a third reading and final passage, which was

Adopted by the following vote:

YEAS—22.

Atlee,	Kearby,	Seale,
Burney,	Kimbrough,	Simkins,
Clemens,	Lubbock,	Stephens,
Crane,	Maetze,	Townsend,
Cranford,	McKinney,	Tyler,
Finch,	Page,	Weisiger,
Frank,	Potter,	Whately,
Glascok,		

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—22.

Atlee,	Kimbrough,	Stephens,
Burney,	Lubbock,	Townsend,
Clemens,	Maetze,	Tyler,
Crane,	McKinney,	Tyler,
Cranford,	Page,	Weisiger,
Finch,	Potter,	Whately,
Frank,	Seale,	
Kearby,	Simkins,	

Senator Page moved to adjourn to 10 a. m. tomorrow.

Senator Stephens moved to adjourn to 9.30 tomorrow.

The motion of Senator Page prevailed.

DEPARTMENT OF THE INTERIOR,  
CENSUS OFFICE,  
WASHINGTON, D. C. Feb. 25, 1891.

Dear Sir:—Replying to your request of the 9th inst., I beg leave to inclose a statement showing the population of Texas by counties, as determined by the official account of the returns made under the Eleventh Census.

[Signed] Very Respectfully,

R. L. PORTER,

Superintendent of Census, N. F. C.  
Hon. J. S. Hogg, Governor,  
Austin, Texas. [Enclosure]

POPULATION OF TEXAS BY COUNTIES.

Anderson.....	20,923	Jones.....	3,797	Crockett.....	194	Orange.....	4,770
Andrews.....	24	Karnes.....	3,637	Crosby.....	346	Palo Pinto.....	8,320
Angelina.....	6,306	Kaufman.....	21,698	Dallam.....	75	Panola.....	14,328
Aransas.....	1,824	Kendall.....	3,809	Dallas.....	67,042	Parker.....	21,682
Archer.....	2,101	Kent.....	324	Dawson.....	222	Parmer.....	7
Armstrong.....	944	Kerr.....	4,445	Deaf Smith.....	179	Pecos.....	1,326
Atascosa.....	6,459	Kimble.....	2,234	Delta.....	9,117	Polk.....	10,332
Austin.....	17,859	King.....	173	Denton.....	21,289	Potter.....	849
Bailey.....	3,782	Kinney.....	3,781	De Witt.....	14,307	Presidio.....	1,698
Bandera.....	20,736	Knox.....	1,183	Dickens.....	295	Raines.....	3,909
Bastrop.....	2,595	Lamar.....	37,302	Dimmitt.....	1,049	Randall.....	187
Baylor.....	3,720	Lamb.....	4	Donley.....	1,056	Red River.....	21,452
Bee.....	33,297	Lam asas.....	7,565	Duval.....	7,598	Reeves.....	1,247
Bell.....	49,266	LaSalle.....	139	Eastland.....	10,343	Refugio.....	1,239
Bexar.....	4,635	Lavaca.....	21,887	Ector.....	224	Roberts.....	326
Blanco.....	29	Lee.....	11,952	Edwards.....	1,962	Robertson.....	26,506
Borden.....	14,157	Leon.....	13,841	Ellis.....	31,774	Rockwall.....	5,972
Bosque.....	20,267	Libert.....	4,230	El Paso.....	15,678	Runnels.....	3,182
Bowie.....	11,506	Limestone.....	21,678	Encinal.....	1,022	Rusk.....	18,559
Brazoria.....	16,650	Lipscomb.....	632	Erath.....	21,515	Sabine.....	4,969
Brewster.....	710	Live Oak.....	2,055	Falls.....	20,706	San Augustine.....	6,688
Briscoe.....	11,359	Llano.....	6,759	Fannin.....	38,709	San Jacinto.....	7,360
Brown.....	307	Loving.....	3	Fayette.....	31,481	San Patricio.....	1,312
Buchel.....	13,001	Lubbock.....	33	Fisher.....	2,996	San Saba.....	6,621
Burleson.....	10,721	Lynn.....	24	Floyd.....	529	Schleicher.....	155
Burnet.....	15,769	McCulloch.....	3,205	Foley.....	16	Scurry.....	1,415
Caldwell.....	815	McLennan.....	39,204	Fort Bend.....	10,586	Shackelford.....	2,012
Calhoun.....	5,434	McMullen.....	1,038	Franklin.....	6,481	Shelby.....	14,365
Callahan.....	14,424	Madison.....	8,512	Freestone.....	15,987	Sherman.....	71
Cameron.....	6,624	Marion.....	10,862	Frio.....	3,112	Smith.....	28,324
Camp.....	356	Martin.....	264	Gaines.....	68	Somervell.....	3,411
Carson.....	22,554	Mason.....	5,168	Galveston.....	31,476	Starr.....	10,052
Cass.....	9	Matagorda.....	3,985	Garza.....	14	Stephens.....	4,926
Castro.....	2,241	Maverick.....	3,698	Gillespie.....	7,028	Stonewall.....	1,024
Chambers.....	22,975	Medina.....	5,730	Glasscock.....	208	Sutton.....	658
Cherokee.....	1,175	Menard.....	1,207	Goliad.....	5,910	Swisher.....	100
Chidress.....	7,503	Midland.....	1,033	Gonzales.....	18,016	Tarrant.....	41,142
Clay.....	.....	Milam.....	24,773	Gray.....	203	Taylor.....	6,946
Cochran.....	.....	Mills.....	5,480	Grayson.....	53,211	Terry.....	21
Coke.....	2,059	Mitchell.....	2,059	Gregg.....	9,402	Throckmorton.....	902
Coleman.....	6,088	Montague.....	18,863	Grimes.....	21,312	Titus.....	8,190
Collins.....	36,736	Montgomery.....	11,765	Guadalupe.....	15,217	Tom Green.....	5,152
Collingsworth.....	357	Moore.....	15	Hale.....	721	Travis.....	37,019
Colorado.....	19,512	Morris.....	6,580	Hall.....	703	Trinity.....	7,648
Comal.....	6,398	Motley.....	139	Hamilton.....	9,274	Tyler.....	10,877
Comanche.....	16,393	Nacogdoches.....	15,984	Hansford.....	133	Upshur.....	12,659
Concho.....	1,059	Navarro.....	26,373	Hardeman.....	3,904	Upton.....	52
Cooke.....	24,696	Newton.....	4,650	Hardin.....	3,956	Uvalde.....	3,804
Coryell.....	16,816	Nolan.....	1,573	Harris.....	37,249	Val Verde.....	2,874
Cottle.....	240	Nueces.....	8,093	Harrison.....	26,721	Van Zandt.....	16,225
Crane.....	15	Ochiltree.....	198	Hartley.....	252	Victoria.....	8,737
		Oldham.....	270	Haskell.....	1,665	Walker.....	12,874
				Hays.....	11,352	Waller.....	10,888
				Hemphill.....	519	Ward.....	77
				Henderson.....	12,285	Washington.....	29,161
				Hidalgo.....	6,534	Webb.....	16,564
				Hill.....	27,583	Wharton.....	7,584
				Hockley.....	.....	Wheeler.....	778
				Hood.....	7,581	Wichita.....	4,831
				Hopkins.....	20,572	Wilbarger.....	7,092
				Houston.....	19,360	Williamson.....	25,878
				Howard.....	1,210	Wilson.....	10,655
				Howard.....	31,885	Winkler.....	18
				Hutchinson.....	58	Wise.....	24,134
				Irion.....	870	Wood.....	13,932
				Jack.....	9,740	Yoakum.....	4
				Jackson.....	3,281	Young.....	5,049
				Jasper.....	5,592	Zapata.....	3,502
				Jeff Davis.....	1,394	Zavalla.....	1,097
				Jefferson.....	5,857		
				Johnson.....	22,313	Total.....	2,235,523